IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

CHAMBER SUMMON NO. 100 OF 2007
IN
SUIT NO. 66 OF 1998

Jaywant Gajanan Rawool. ... Plaintiff.

V/s.

Hemant Gajanan Rawool. ... Defendant.

And

Smt.Harshada Hemant Rawool
and another. ... respondents.

Nitin Trivedi for the plaintiff.

Ms.Heena Dailat i/b. Khaitgan & Jaykar
for the defendant.

CORAM: V.C.DAGA, J.

DATED: 10th December 2007.

P.C.:

. The chamber summons is already served on the defendant. The learned counsel appearing for the defendants submits that she has no instructions from the proposed legal heirs of the defendant. The chamber summons for substitution is taken out within time. The cause of action against the proposed legal heirs of the defendant survive.

2. In the above view of the matter, for the reasons stated in the affidavit in support of

chamber summons, chamber summons is made absolute. Plaintiff to carry out necessary amendment in the cause title of the plaint and serve amended copy of the plaint on the added defendants within two weeks from today. Matter to come up on board after three weeks.

(V.C.DAGA, J.)